

## Vehicle Pursuits

### 307.1 PURPOSE AND SCOPE

Vehicle pursuits expose innocent citizens, law enforcement officers and fleeing violators to the risk of serious injury or death. The primary purpose of this policy is to provide officers with guidance in balancing the safety of the public and themselves against law enforcement's duty to apprehend violators of the law (Wis. Stat. § 346.03(6); Wis. Admin. Code § LES 3.07).

Another purpose of this policy is to minimize the potential for pursuit-related crashes. Vehicle pursuits require officers to exhibit a high degree of common sense and sound judgment. Officers must not forget that the immediate apprehension of a suspect is generally not more important than the safety of the public and pursuing officers.

#### 307.1.1 PHILOSOPHY

Deciding whether to pursue a motor vehicle is a critical decision that must be made quickly and under difficult and unpredictable circumstances. In recognizing the risk to public safety created by vehicle pursuits, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a vehicle pursuit due to the risk involved. This includes circumstances where department policy would permit the initiation or continuation of the pursuit. It is recognized that vehicle pursuits are not always predictable and decisions made pursuant to this policy will be evaluated according to the totality of the circumstances reasonably available at the time of the pursuit.

Officers must remember that the most important factors to the successful conclusion of a pursuit are proper self-discipline and sound professional judgment. Officers conduct during the course of a pursuit must be objectively reasonable; that is, what a reasonable officer would do under the circumstances. An individual's unreasonable desire to apprehend a fleeing suspect at all costs has no place in professional law enforcement.

### 307.2 DEFINITIONS

Definitions related to this policy include:

**Vehicle pursuit** - An active event involving one or more peace officers in a police vehicle attempting to apprehend a suspect who is attempting to avoid arrest while operating a motor vehicle by using high speed or other evasive tactics, such as increasing the speed of the vehicle, extinguishing the lights of the vehicle, disregarding traffic warning signs, stop signs, red lights, driving off a roadway, turning suddenly or driving in a legal manner but willfully failing to yield to an officer's signal to stop (Wis. Stat. § 85.07(8)(a)).

**Channelization** - A technique used to divert a violator's vehicle to a preferred location that is either less populated or traveled, or conducive to a forcible stop.

**Moving Roadblock (boxing-in)** - A tactic designed to stop a violator's vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop.

### *Vehicle Pursuits*

---

**Pursuit Intervention Technique (PIT)** - A low-speed maneuver intended to terminate the pursuit by causing the violator's vehicle to spin out and come to a stop.

**Ramming** - A deadly force tactic that involves the deliberate act of impacting a violator's vehicle with another vehicle to functionally damage or otherwise force the violator's vehicle to stop.

**Roadblock (with escape route)** - A tactic designed to impede or alter the normal flow of traffic to induce the violator's vehicle to stop by intentionally placing a vehicle or other immovable object in the path of the violator's vehicle, but providing an alternate escape route.

**Roadblock (no escape route)** - A deadly force tactic designed to stop a violator's vehicle by intentionally placing a vehicle or other immovable object in the path of the violator's vehicle forcing the vehicle to stop or crash.

**Tire deflation device, spikes or tack strips** - A device that extends across the roadway and is designed to puncture the tires of the pursued vehicle.

### **307.3 OFFICER RESPONSIBILITIES**

It is the policy of this department that a vehicle pursuit shall be conducted with the visible signal of at least one flashing, oscillating or rotating red light, or a blue and red light, and also an audible signal by means of a siren or exhaust whistle activated on an authorized emergency vehicle (Wis. Stat. § 346.03(3)).

The following policy is established to provide officers with guidelines for driving with due regard and caution for the safety of all persons using the highway (Wis. Stat. § 346.03(5)).

#### **307.3.1 WHEN TO INITIATE A PURSUIT**

Officers are authorized to initiate a pursuit when it is reasonable to believe that a suspect is attempting to evade arrest or detention by fleeing in a vehicle that has been given a signal to stop by a peace officer (Wis. Stat. § 346.03; Wis. Admin. Code § LES 3.07(1)(a)).

The following factors individually and collectively shall be considered in deciding whether to initiate or continue a pursuit (Wis. Stat. § 346.03(6)):

- (a) The seriousness of the known or reasonably suspected crime and its relationship to community safety. Felony offenses or misdemeanor offenses involving weapons are considered more serious in terms of community safety.
- (b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to officers, innocent motorists and others.
- (c) The apparent nature of the fleeing suspect (e.g., whether the suspect represents a serious threat to public safety).
- (d) The identity of the suspect has been verified and there is comparatively minimal risk in allowing the suspect to be apprehended at a later time.

### *Vehicle Pursuits*

---

- (e) The safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic (e.g., school zones) and the speed of the pursuit relative to these factors.
- (f) The pursuing officer's familiarity with the area of the pursuit, the quality of communication between the pursuing units and the dispatcher/supervisor, and the driving capabilities of the pursuing officers under the conditions of the pursuit.
- (g) The weather, traffic and road conditions that unreasonably increase the danger of the pursuit when weighed against the risks resulting from the suspect's escape.
- (h) The performance capabilities of the vehicles used in the pursuit in relation to the speed and other conditions of the pursuit.
- (i) Vehicle speeds.
- (j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders and hostages).
- (k) The availability of other resources, such as aircraft assistance.
- (l) The police unit is carrying passengers other than on-duty police officers. Pursuits shall not be undertaken if a civilian Department member or citizen is or remains in the pursuit vehicle. Pursuits should not be undertaken with a prisoner in the pursuit vehicle unless exigent circumstances exist, and then only after the need to apprehend the suspect is weighed against the safety of the prisoner in transport. A unit containing more than a single prisoner shall not participate in a pursuit.

#### 307.3.2 WHEN TO TERMINATE A PURSUIT

Pursuits should be discontinued whenever the totality of objective circumstances known or which reasonably ought to be known to the officer or supervisor during the pursuit indicates that the present risk of continuing the pursuit reasonably appears to outweigh the risk resulting from the suspect's escape (Wis. Admin. Code § LES 3.07(1)(c)). Except for impaired or reckless driving violations, Department members shall not continue a pursuit in which the only underlying offense is a traffic violation.

Operating an emergency vehicle in a pursuit with emergency lights and siren does not relieve the operator of an authorized emergency vehicle of the duty to drive with due regard for the safety of all persons and does not protect the driver from the consequences of reckless disregard for the safety of others (Wis. Stat. § 346.03(5)).

The above factors on when to initiate a pursuit are expressly included herein and will apply equally to the decision to discontinue as well as the decision to initiate a pursuit. Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists, themselves and the public when electing to continue a pursuit. In the context of this policy, the term "terminate" shall be construed to mean to discontinue or to stop chasing the fleeing vehicle, disengage all emergency lights and siren and immediately resume operation obeying all traffic laws.

# Beloit Police Department

## WI LE Policy Manual

### *Vehicle Pursuits*

---

Once a pursuit has been terminated by a supervisor it shall remain terminated unless the vehicle is involved in a new offense or circumstances deemed by a supervisor to justify re-engagement of a pursuit within the parameters of this policy are present.

In addition to the factors listed above, the following factors should be considered when deciding whether to terminate a pursuit:

- (a) The distance between the pursuing officers and the fleeing vehicle is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time or distance.
- (b) The pursued vehicle's location is no longer definitely known.
- (c) The officer's pursuit vehicle sustains damage or a mechanical failure that renders it unsafe to drive.
- (d) The pursuit vehicle has an emergency equipment failure that causes the vehicle to no longer qualify for use in emergency operations (Wis. Stat. § 346.03(3)).
- (e) Extended pursuits of violators for misdemeanors not involving abuse or risk of serious harm (independent of the pursuit) are discouraged.
- (f) The hazards to uninvolved bystanders or motorists.
- (g) When the identity of the offender is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit, officers should strongly consider discontinuing the pursuit and apprehending the offender at a later time (Wis. Stat. § 346.175(3)(a)).
- (h) When directed to terminate the pursuit by a supervisor.
- (i) When it is necessary to stop to render aid to an injured person and no other officer is available to do so (Wis. Admin. Code § LES 3.07(1)(c)(5)).

#### **307.3.3 SPEED LIMITS**

The speed of a pursuit is a factor that should be evaluated on a continuing basis by the officer and supervisor. Vehicle speeds shall be taken into consideration to prevent endangering public safety, officer safety and the safety of the occupants of the fleeing vehicle (Wis. Stat. § 346.03(6)).

Should high vehicle speeds be reached during a pursuit, officers and supervisors shall also consider these factors when determining the reasonableness of the speed of the pursuit.

- (a) Pursuit speeds have become unreasonably unsafe for the surrounding conditions.
- (b) Pursuit speeds have exceeded the driving ability of the officer.
- (c) Pursuit speeds are beyond the capabilities of the pursuit vehicle, thus making its operation unsafe.

#### **307.4 PURSUIT UNITS**

Pursuit units should be limited to three vehicles (two units and a supervisor). However, the number of units involved will vary with the circumstances.

## *Vehicle Pursuits*

---

An officer or supervisor may request additional units to join a pursuit if, after assessing the factors outlined above, it appears that the number of officers involved would be insufficient to safely arrest the suspect(s). All other officers shall stay out of the pursuit but should remain alert to its progress and location. Any officer who drops out of a pursuit may then, if necessary, proceed to the termination point at legal speeds, following the appropriate rules of the road.

Distinctively marked patrol vehicles should replace unmarked vehicles involved in a pursuit whenever practicable.

### **307.4.1 MOTORCYCLE OFFICERS**

A distinctively marked patrol vehicle equipped with emergency overhead lighting should replace a police motorcycle as primary and/or secondary pursuit unit as soon as practicable.

### **307.4.2 VEHICLES WITHOUT EMERGENCY EQUIPMENT**

Vehicles not equipped with a red or blue emergency light and siren, or operated by a civilian Department member are prohibited from initiating or joining in any pursuit. Officers or civilian Department members in such vehicles may provide support to pursuing units as long as the vehicle is operated in compliance with all traffic laws. However, civilian members should use extreme caution and limit support to observations and/or traffic crash scenes caused by the pursuit.

### **307.4.3 PRIMARY UNIT RESPONSIBILITIES**

The initial pursuing officer will be designated as the primary pursuit unit and will be responsible for the conduct of the pursuit unless it is unable to remain reasonably close enough to the violator's vehicle. The primary responsibility of the officer initiating the pursuit is the apprehension of the suspect without unreasonable danger to him/herself or other persons.

The primary unit should notify the Communications Center, commencing with a request for priority radio traffic, that a vehicle pursuit has been initiated, and as soon as practicable, provide information including, but not limited to:

- (a) The reason for the pursuit.
- (b) The location and direction of travel.
- (c) The description of the fleeing vehicle and license number, if known.
- (d) The speed of the fleeing vehicle.
- (e) The weather, road and traffic conditions.
- (f) The number of occupants.
- (g) The identity or description of the known occupants.
- (h) Information concerning the use of firearms, threat of force, injuries, hostages or other unusual hazards.
- (i) The identity of other agencies involved in the pursuit.

Unless relieved by a supervisor or secondary unit, the officer in the primary unit shall be responsible for broadcasting the progress of the pursuit. Unless circumstances reasonably

## *Vehicle Pursuits*

---

indicate otherwise, the primary unit should relinquish the responsibility of broadcasting the progress of the pursuit to a secondary unit to minimize distractions and allow the primary unit to concentrate foremost on safe pursuit tactics.

### 307.4.4 SECONDARY UNIT RESPONSIBILITIES

The second officer in the pursuit is responsible for:

- (a) Immediately notifying the dispatcher of his/her entry into the pursuit.
- (b) Remaining at a safe distance behind the primary unit unless directed to assume the role of primary officer, or if the primary unit is unable to continue the pursuit.
- (c) Broadcasting the progress of the pursuit unless the situation indicates otherwise.
- (d) Serving as backup to the primary unit once the subject has been stopped.

### 307.4.5 PURSUIT DRIVING TACTICS

The decision to use specific driving tactics requires the same assessment of considerations outlined in the factors to be considered concerning pursuit initiation and termination. The following are tactics for units involved in the pursuit:

- (a) Officers, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles such that they are able to see and avoid hazards or react safely to maneuvers by the fleeing vehicle.
- (b) Officers may proceed past a red or stop signal or stop sign but only after slowing down as may be necessary for safe operation (Wis. Stat § 346.03(2)(a)).
- (c) Because intersections can present increased risks, the following tactics should be considered:
  - 1. Available units not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic.
  - 2. Pursuing units shall exercise due caution and slow down as may be necessary for safe operation when proceeding through controlled intersections.
- (d) As a general rule, officers should not pursue a vehicle driving the wrong way on a roadway, highway or freeway. In the event the pursued vehicle does so, the following tactics should be considered:
  - 1. Maintaining visual contact with the pursued vehicle by paralleling on the correct side of the roadway.
  - 2. Requesting other units to observe exits available to the suspect.
- (e) Notifying other law enforcement agencies if it appears the pursuit may enter their jurisdiction.
- (f) Officers involved in a pursuit should not attempt to pass other units unless the situation dictates otherwise or they are requested to do so by the primary unit and a clear understanding of the maneuver process exists between the involved officers.

## *Vehicle Pursuits*

---

### **307.4.6 TACTICS/PROCEDURES FOR UNITS NOT INVOLVED IN THE PURSUIT**

There should be no paralleling of the pursuit route. Officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public.

The primary unit, secondary unit and supervisor should be the only units operating under emergency conditions (emergency lights and siren) unless other units are assigned to the pursuit or approved to implement a specific intervention technique.

### **307.4.7 PURSUIT TRAILING**

In the event that the initiating unit from this agency relinquishes control of the pursuit to another unit or jurisdiction, that initiating unit may, with permission of a supervisor, trail the pursuit to the termination point in order to provide information and assistance for the arrest of the suspect.

The term "trail" means to follow the path of the pursuit at a safe speed, while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing unit will maintain sufficient distance from the pursuit units to clearly indicate an absence of participation in the pursuit.

## **307.5 SUPERVISORY CONTROL AND RESPONSIBILITIES**

It is the policy of this department that available supervisory and management control will be exercised over all vehicle pursuits involving officers from this department.

The field supervisor of the officer initiating the pursuit, or if unavailable, the nearest field supervisor will be responsible for the following:

- (a) Upon becoming aware of a pursuit, immediately notifying involved officers and the Communications Center of supervisory presence and ascertaining all reasonably available information to continuously assess the situation and risk factors associated with the pursuit in order to ensure that the pursuit is conducted within established department guidelines.
- (b) Engaging in the pursuit, when appropriate, to provide on-scene supervision.
- (c) Exercising management and control of the pursuit even if not engaged in it.
- (d) Ensuring that no more than the number of required law enforcement units needed are involved in the pursuit under the guidelines set forth in this policy.
- (e) Directing that the pursuit be terminated if, in his/her judgment, it is not justified to continue the pursuit under the guidelines of this policy.
- (f) Ensuring that the proper radio channel is being used.
- (g) Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this agency.
- (h) Control and manage BPD units when a pursuit enters another jurisdiction.
- (i) Preparing a post-pursuit critique.

## *Vehicle Pursuits*

---

### **307.5.1 SHIFT COMMANDER RESPONSIBILITIES**

Upon becoming aware that a pursuit has been initiated, the Shift Commander should monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and requirements of this policy. The Shift Commander has the final responsibility for the coordination, control and termination of a vehicle pursuit and shall be in overall command.

The Shift Commander shall review all pertinent reports for required content, noting any potential pursuits that may aid or require training, and forward them to the Captain.

### **307.6 COMMUNICATIONS**

If the pursuit is confined within the City limits, radio communications will be conducted on the primary channel unless instructed otherwise by a supervisor or communications dispatcher. If the pursuit leaves the jurisdiction of this department or such is imminent, involved units should, whenever available, switch radio communications to an emergency channel most accessible by participating agencies and units.

#### **307.6.1 THE COMMUNICATIONS CENTER RESPONSIBILITIES**

Upon notification that a pursuit has been initiated, the Communications Center will be responsible for:

- (a) Coordinating pursuit communications of the involved units and personnel.
- (b) Notifying and coordinating with other involved or affected agencies as practicable.
- (c) Ensuring that a field supervisor is notified of the pursuit.
- (d) Assigning an incident number and logging all pursuit activities.
- (e) Broadcasting pursuit updates as well as other pertinent information as necessary.
- (f) Ensuring that the dispatch channel remains open unless specifically instructed otherwise by a supervisor.

#### **307.6.2 LOSS OF PURSUED VEHICLE**

When the pursued vehicle is lost, the primary unit should broadcast pertinent information to assist other units in locating the vehicle. The primary unit will be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot. Locating a recently pursued vehicle within a reasonable timeframe may provide valuable evidence in establishing the identity of the driver and/or occupants and should be investigated appropriately.

### **307.7 INTERJURISDICTIONAL CONSIDERATIONS**

When a pursuit enters another agency's jurisdiction, the primary officer or supervisor, taking into consideration distance traveled, unfamiliarity with the area and other pertinent facts, should determine whether to request the other agency to assume the pursuit. Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary officer or supervisor ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether such jurisdiction is expected to assist.



# Beloit Police Department

## WI LE Policy Manual

### *Vehicle Pursuits*

---

#### 307.7.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY

Beloit Police Department officers will discontinue the pursuit when another agency has assumed the pursuit, unless the continued assistance of the Beloit Police Department is necessary to ensure officer safety or requested by the agency assuming the pursuit. Upon discontinuing the pursuit, the primary unit may proceed upon request, with or at the direction of a supervisor, to the termination point to assist in the investigation. A supervisor should coordinate with the agency managing the termination point to determine the supervisor's need to respond or otherwise assist in the investigation. The supervisor should obtain any information that is necessary for inclusion in any reports from the agency managing the termination point.

The role and responsibilities of officers at the termination of a pursuit that was initiated by this department shall be coordinated with appropriate consideration of the units from the agency assuming the pursuit.

Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific.

#### 307.7.2 PURSUITS EXTENDING INTO THIS JURISDICTION

The agency that initiates a pursuit shall be responsible for conducting the pursuit. Units from this department should not join a pursuit unless specifically requested to do so by the agency whose peace officers are in pursuit. The exception to this is when a single unit from the initiating agency is in pursuit. Under this circumstance, a unit from this department may join the pursuit until sufficient units from the initiating agency join the pursuit.

When a request is made for this department to assist or take over a pursuit that has entered this jurisdiction, the supervisor should consider these additional factors:

- (a) Ability to maintain the pursuit
- (b) Circumstances serious enough to continue the pursuit
- (c) Adequate staffing to continue the pursuit
- (d) The public's safety within this jurisdiction
- (e) Safety of the pursuing officers

As soon as practicable, a supervisor or the Shift Commander should review a request for assistance from another agency. The Shift Commander or supervisor, after consideration of the above factors, may decline to assist in or assume the other agency's pursuit.

Assistance to a pursuing outside agency by officers of this department will terminate at the City limits provided that the pursuing peace officers have sufficient assistance from other sources. Ongoing participation from this department may continue only until sufficient assistance is present.

In the event that a pursuit from another agency terminates within this jurisdiction, officers shall notify the initiating agency of the termination of the pursuit, provide appropriate assistance to peace officers from the initiating and other involved agencies including, but not limited to, scene

## *Vehicle Pursuits*

---

control, coordination and completion of supplemental reports and any other assistance requested or needed.

### **307.8 PURSUIT INTERVENTION**

Pursuit intervention is an attempt to terminate or reduce the ability of a suspect to continue to flee in a motor vehicle through tactical application of technology, tire deflation devices, channelization, moving roadblock (boxing-in), PIT, or deadly force tactics such as ramming or roadblock procedures.

#### **307.8.1 WHEN USE IS AUTHORIZED**

Use of pursuit intervention tactics should be employed only after approval of a supervisor. In deciding whether to use intervention tactics, officers/supervisors should balance the risk of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the public, the officers and persons in or on the pursued vehicle. With this in mind, the decision to use any intervention tactic should be reasonable in light of the circumstances apparent to the officer at the time of the decision.

#### **307.8.2 USE OF FIREARMS**

The use of firearms to disable a pursued vehicle is not generally an effective tactic and involves all the dangers associated with discharging firearms. Officers should not utilize firearms during an ongoing pursuit unless the conditions and circumstances meet the requirements authorizing the use of deadly force. Nothing in this section shall be construed to prohibit any officer from using a firearm to stop a suspect from using a vehicle as a deadly weapon. Policy 300 (Use of Force), section 300.4.1 provides additional guidance regarding shooting at or from moving vehicles.

#### **307.8.3 INTERVENTION STANDARDS**

Any pursuit intervention tactic, depending upon the conditions and circumstances under which it is used, may present dangers to the officers, the public or anyone in or on the vehicle being pursued. Certain applications of intervention tactics may be construed to be a use of deadly force and are subject to the requirements for such use. Officers shall consider these facts and requirements prior to deciding how, when, where and if an intervention tactic should be employed.

- (a) Tire deflation devices should be deployed only when it is reasonably apparent that only the pursued vehicle will be affected by their use. Prior to the deployment of spike strips, the officer shall notify pursuing units and the supervisor of the intent and location. Officers should carefully consider the limitations of such devices as well as the potential risk to officers, the public and occupants of the pursued vehicle. If the pursued vehicle is a motorcycle, a vehicle transporting hazardous materials or a school bus transporting children, officers and supervisors should weigh the potential consequences against the need to immediately stop the vehicle.
- (b) Channelization should be used to divert a driver to a preferred location that is less populated or traveled, or more conducive to a forcible stop.
- (c) As with all intervention techniques, pursuing officers should obtain supervisor approval before attempting to implement a moving roadblock or box in a suspect vehicle during

## Vehicle Pursuits

---

a pursuit. The use of such a technique must be carefully coordinated with all involved units, taking into consideration the circumstances and conditions apparent at the time, as well as the potential risk of injury to officers, the public and occupants of the pursued vehicle.

- (d) Only those officers trained and approved by the Department in the use of the PIT will be authorized to use this procedure and only then with approval of a supervisor upon consideration of the circumstances and conditions presented at the time, including the potential for injury to officers, the public and occupants of the pursued vehicle.
- (e) Ramming a fleeing vehicle should be done only when the officer can justify the use of deadly force and after other reasonable tactical means at the officer's disposal have been exhausted. This tactic should be reserved for situations where there does not appear to be another reasonable alternative method. When ramming is used as a means to stop a fleeing vehicle, the following factors should be present:
  - 1. The suspect is an actual or suspected felon who reasonably appears to represent a serious threat to the public if not apprehended.
  - 2. The suspect is driving with willful or wanton disregard for the safety of other persons or is driving in a reckless and life-endangering manner. If there does not reasonably appear to be a present or immediately foreseeable serious threat to the public, the use of ramming is not authorized.
- (f) Roadblocks with an escape route are meant to impede or alter the normal flow of traffic and convince the suspect to surrender. They should not be deployed without prior approval of a supervisor and in conformity with training protocols to ensure safety of the suspect and public.
- (g) Because roadblocks without an escape route involve a potential for serious injury or death to occupants of the pursued vehicle if the suspect does not stop, the intentional placement of roadblocks in the direct path of a pursued vehicle is generally discouraged and should not be deployed unless circumstances justify the use of deadly force and with prior approval of a supervisor, and only then under extraordinary conditions when all other reasonable intervention techniques have failed or reasonably appear ineffective and the need to immediately stop the pursued vehicle substantially outweighs the risk of injury or death to occupants of the pursued vehicle, officers or other members of the public.

### 307.8.4 CAPTURE OF SUSPECTS

Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects. Officers shall use only that amount of force that reasonably appears necessary under the circumstances to properly perform their lawful duties.

Unless relieved by a supervisor, the primary officer should coordinate efforts to apprehend the suspect following the pursuit. Officers should consider the safety of the public and the involved officers when formulating plans to contain and capture the suspect.

## *Vehicle Pursuits*

---

### **307.9 REPORTING AND REVIEW REQUIREMENTS**

All appropriate reports shall be completed to comply with local and state regulations (Wis. Stat. § 85.07(8)(b)).

- (a) The primary officer shall complete appropriate crime/arrest reports.
- (b) The primary officer shall complete the TRACS Vehicle Pursuit Form.
- (c) After first obtaining available information, the on-duty field supervisor shall promptly notify the Shift Commander of the pursuit disposition.
- (d) Unless approval is granted by the Patrol Division commander, within seven (7) days of the pursuit, the supervisor shall review and approve the TRACS Vehicle Pursuit Form and submit a copy along with a Department memorandum to their respective Shift Commander. This memo should minimally contain the following information:
  - 1. Date and time of pursuit
  - 2. Length of pursuit in distance and time
  - 3. Involved units and officers
  - 4. Initial reason and circumstances surrounding the pursuit
  - 5. Starting and termination points
  - 6. Alleged offense, charges filed or disposition: arrest, citation or other release
  - 7. Arrestee information should be provided if applicable
  - 8. Injuries and/or property damage
  - 9. Medical treatment
  - 10. The outcome of the pursuit
  - 11. Name of supervisor handling or at the scene
  - 12. A preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted
- (e) After receiving copies of reports, logs and other pertinent information, the Patrol Division commander shall conduct or assign the completion of a post-pursuit review as appropriate to the circumstances.
- (f) At least annually, but no later than June 30th of every even-numbered year, the Inspector shall direct a documented review and analysis of department vehicle pursuits to minimally include policy suitability, policy compliance, policy modification and training needs (Wis. Stat. § 346.03(6)).
- (g) The Patrol Division commander shall compile and report information on vehicle pursuits engaged in during the previous 12 months to the Wisconsin Department of Transportation. The report shall be filed no later than August 15th of each year and shall contain information on (Wis. Stat. § 85.07(8)(b)):
  - 1. The circumstances of the vehicle pursuit, including the distance, location and maximum speed.

### *Vehicle Pursuits*

---

2. The reasons for initiating the vehicle pursuit.
3. The outcome of the vehicle pursuit, including the number of deaths or great bodily injuries and an estimate of the value of any property damage.

#### 307.9.1 REGULAR AND PERIODIC PURSUIT TRAINING

In addition to initial and supplementary training on pursuits, all certified sworn employees will participate, no less than biennially, in at least four hours of training addressing this policy, pursuit guidelines, driving techniques, new technology and the importance of vehicle safety and protecting the public at all times. Training will include recognition of the need to balance the known offense and the need for immediate capture against the risks to officers and others. At least four hours of the training curriculum will be based on the model standards promulgated by the Law Enforcement Standards Board (LESB) and shall be delivered by a LESB-certified Emergency Vehicle Operations and Control (EVOC) instructor (Wis. Stat. § 165.85; Wis. Admin. Code § LES 3.07(4)). For purposes of LESB reporting obligations, the time period for annual training begins July 1st, and ends June 30th.

Civilian members who drive Department vehicles should receive appropriate training in order to facilitate safe driving and their role during pursuits.

#### 307.9.2 POLICY REVIEW

All members of this department shall affirm that they have received, read and understand this policy initially and upon any amendments (Wis. Stat. § 346.03(6)).